



United States Environmental Protection Agency
Region 6
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MEMORANDUM

SUBJECT: Approval and Funding for a Removal Action at the F.J. Doyle Salvage Site, Leonard, Fannin County, Texas

FROM: Gary Moore, On-Scene Coordinator
Emergency Management Branch (6SF-ER)

TO: Carl Edlund, Director
Superfund Division

THRU: Ronnie Crossland, Associate Director
Emergency Management Branch (6SF-E)

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of the selected removal action described herein in accordance with the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9604, for F.J. Doyle Salvage Site, Leonard, Fannin County, Texas. This time-critical removal action will involve the excavation and disposal of soils from city rights-of-ways, and residential properties contaminated by runoff from the Site. This action will remove the threat to human health and the environment posed by the identified contaminants of concern listed herein that were a result of the actions conducted at the Site.

The proposed plan of action meets the criteria for initiating a removal action under Section 300.415 of the National Contingency Plan (NCP), 40 C.F.R. § 300.415. This action is expected to require less than twelve months (from mobilization) and \$2 million to complete.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS:	TXD980865109
Category of Removal:	Time Critical
Site ID:	061D
Latitude:	33.389530° North
Longitude:	96.243160° West

A. Site Description

1. Removal Site Evaluation

The F.J. Doyle Salvage Site is located at the southwest corner of North Poplar and East Cottonwood Street in Leonard, Fannin County, Texas, 75452. The previous address for the site was 305 East Cottonwood Street, however, the current address is 905 North Poplar Street, Leonard, Texas 75452. The Site consists of approximately 0.344 acres.

F.J. Doyle Salvage conducted salvage operations by stripping out-of-service power transmission transformers for recoverable metals. The facility consisted of a transformer storage shop/office with a surrounding yard used for transformer off-loading and storage. A bermed concrete pad was used for the storage of 55-gallon drums and oil storage tanks (1-375 gal and 2-500 gal) containing fluids drained from the transformers.

The facility also used a high-temperature oven to burn residual oils, paper and varnish from the copper and aluminum transformer cores. It was reported that Mr. Frank Doyle used the oil in the past for weed control and distributed the oil to various individuals for use as a weed killer in the 1970s. The past use of Polychlorinated Biphenyls (PCBs) in electrical equipment such as transformers and capacitors was common until 1979 when PCBs were banned in the United States and became regulated under *40 Code of Federal Regulations 761*.

The transformer storage shop (building) and concrete pad used for transformer off-loading and storage remain at the site. The F.J. Doyle Salvage site is directly bordered by residential properties and a Leonard Independent School District (LISD) Daycare Facility to the south with the LISD Intermediate and Elementary schools just south of the Daycare Facility; residences on the north and west; and Leonard High School to the East. The site predominantly drains to the southeast; south along roadside ditches on North Poplar Street toward the Leonard Elementary school, then east along East Hackberry Street.

The F.J. Doyle Salvage site is located within non-designated Segment No. 0306 at the western extreme of the Sulphur River Basin, which flows east joining the Middle and North Sulphur Rivers and converges with the Red River 308 miles downstream in Arkansas. The major tributaries of the Sulphur River are Days Creek and White Oak Bayou.

The average annual precipitation of Leonard, Texas is 43 inches with approximately 230 sunny days per year. The average temperature ranges from 33 degrees Fahrenheit in the winter to 93 degrees Fahrenheit in the summer. The average annual snowfall is 1-inch.

The F.J. Doyle Salvage site lies approximately 700 feet above sea level with an apparent gentle slope to the south. The site is within Fannin County, which lies in the northern fringe of the

Texas Blackland Prairie, which extends through North Central Texas and is characterized by broad flood plains and shallow stream valleys. Information obtained from the U.S. Department of Agriculture (USDA) indicated that the soils generally consist of shallow, well-drained, moderately permeable, loamy soils that are formed in chalk or in chalk interbedded with marl.

2. Physical Location

The Site is located at 905 North Poplar Street, Leonard, Fannin County, Texas 75452. The immediate area surrounding the site is residential and includes multiple schools and a daycare center.

3. Site Characteristics

The Site is the location where salvage operations were conducted. Historical sampling conducted on the Site has shown PCB soil contamination. The contaminants identified on the On-Site Areas (Industrial Facility and associated drainage ditches) and those for the Off-Site Areas (Residential, School, Daycare, Alleyway and associated drainage ditches) during the April/May 2018 assessment are as follows:

Analyte	On-Site Areas	Off-Site Areas
PCB (total):	up to 175 mg/kg	up to 95.1 mg/kg
Arsenic:	up to 68.2 mg/kg	up to 59.1 mg/kg
Cobalt:	up to 30.9 mg/kg	up to 23.6 mg/kg
Copper:	up to 21,800 mg/kg	up to 6740 mg/kg
Lead:	up to 1,480 mg/kg	up to 402 mg/kg
Manganese:	up to 4,490 mg/kg	up to 3290 mg/kg
Benzo(a)Pyrene:	up to 0.13 mg/kg	up to 13.3 mg/kg
Benzo(a)Anthracene	less than 1.1 mg/kg	up to 9.8 mg/kg
Benzo(b)Fluouranthene	less than 1.1 mg/kg	up to 16.5 mg/kg
Dibenzo(a,h)Anthracene	less than 0.11 mg/kg	up to 2.97 mg/kg
Indeno(1,2,3-cd)Pyrene	less than 1.1 mg/kg	up to 15.2 mg/kg

The Site and the surrounding alleyway, drainage ditches, residential properties, and school properties immediately surrounding the site are the subject of this removal action and have been impacted by erosional runoff from the Site with similar contaminant impacts.

4. Release or Threatened Release into the Environment of a Hazardous Substance, or Pollutant or Contaminant

The EPA has documented the contamination on the residential properties, alleyway, and drainage ditches surrounding the Site and have determined that it is associated with the operations conducted on the Site. The EPA believes that much of the off-site contamination is associated

with erosional migration from the Site. PCBs are the primary contaminant of concern although additional contaminants are co-located with the PCB contaminants and will be addressed as part of this response.

The contaminants listed in II.A.3 above, Polychlorinated Biphenyls (PCBs), Arsenic, Cobalt compounds, Copper, Lead, Manganese compounds, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Dibenzo(a,h)anthracene, and Indeno(1,2,3-cd)pyrene are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

5. NPL Status

This Site is not on the National Priorities List (NPL).

6. Maps, Pictures and Other Graphic Representations

Attachment 1 Site Location Maps

Attachment 2 Overall Contamination Area Map (Confidential)

Attachment 3 Site and ROW Contamination Area Map

Attachment 4 Enforcement Attachment (Confidential)

B. Other Actions to Date

1. Previous Actions

September 1990: EPA Removal Program began a site investigation based upon a citizen complaint of improper handling and salvage of transformers. The investigation was to determine the presence and extent of on and off-site PCB and Dioxin contamination. The results indicated no presence of dioxins although PCBs were present in both on and offsite areas. The site was referred to Toxic Substance Control Act (TSCA) Enforcement due to its active status.

July 1995: EPA Removal Program began a site investigation to determine the extent of PCB contamination surrounding the Site. At the time of the investigation, the company was still in operating. The investigation revealed elevated PCB contamination to various depths down to 2 feet and concentrations of up to 2730 mg/kg. It also confirmed PCB contamination in offsite areas.

May 1997: EPA Remedial Site Assessment Program completed a Preliminary Assessment which evaluated the current information relative to the site and it identified the previous EPA investigations and noted the elevated PCB concentrations both on and offsite. The Preliminary Assessment indicated that it was unlikely that the City of

Leonard drinking water wells would be impacted due to the lithology of the underlying formations and depth to groundwater.

September 1998: TCEQ completed a Screening Site Investigation under a cooperative agreement with the EPA. The TCEQ conducted soil sampling and verified elevated concentrations of PCBs in both on and offsite areas. Based upon an evaluation, it is unlikely that the Site would meet the criteria to be listed on the National Priorities List.

May 2018: EPA Removal Program conducted a removal assessment to determine the lateral and vertical extent of contamination associated with the site. This will assist EPA in performing a cost estimate and proposing a removal action to address PCB contamination in on and offsite locations.

May 2018: EPA Removal Program conducted an investigation of the surface and sub-surface soils to determine the lateral and vertical extent of contamination at the F.J. Doyle Salvage Site and off-site areas. Sample locations were based upon the results of earlier sampling investigations completed in the 1990s. The COCs for the site are, but not limited to, PCBs, SVOCs/PAHs, and metals. The investigation revealed elevated concentrations of metals, SVOCs, and PCBs. The EPA has determined that off-site migration of contaminants from the site has occurred.

2. Current Actions

No current ongoing actions are being conducted.

C. State and Local Authorities' Role

1. State and Local Actions to Date

See II.B.1 above.

2. Potential for continued State/Local response

At this time, there are no additional actions anticipated by the State or Local Government entities.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT AND STATUTORY AND REGULATORY AUTHORITIES

Section 300.415 of the NCP lists the factors to be considered in determining the

appropriateness of a removal action. Paragraphs (b)(2)(i), (iii), (iv), (v) and (vii) directly apply to the conditions at the Site. Any one of these factors may be sufficient to determine whether a removal action is appropriate.

A. Threats to Public Health or Welfare

1. Exposure to Human Populations, Animals or the Food Chain, NCP Section 300.415(b)(2)(i).

The Site contaminants are migrating offsite by means of erosion. Therefore, a threat of exposure to human populations exist from contaminated soils that have and continue to migrate off-site. Exposure to these hazardous substances could be from ingestion, skin absorption, and inhalation. Polychlorinated Biphenyls (PCBs), Arsenic, Cobalt compounds, Copper, Lead, Manganese compounds, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Dibenzo(a,h)anthracene, and Indeno(1,2,3-cd)pyrene are hazardous substance as defined at Section 101(14) of CERCLA, 42 U.S.C. 9601(14) and further defined at 40 C.F.R. 302.4.

2. High Levels of Hazardous Substances or Pollutants or Contaminants Soils Largely at or Near the Surface, that May Migrate, NCP Section 300.415(b)(2)(iv).

The hazardous substances and the concentrations located within the residential soils are identified in II.A.3 above. Those concentrations are elevated above EPA Regional Screening Levels.

3. Weather Conditions that may cause Hazardous Substances or Pollutants or Contaminants to Migrate or be Released, NCP Section 300.415(b)(2)(v)

Contaminants from the site have been shown to have migrated downgradient from the Site. These actions will continue during heavy rainfall events when sediment is displaced and moved by erosional forces.

4. Availability of Other Response Mechanisms, NCP Section 300.415(b)(2)(vii)

Assistance was requested by TCEQ to EPA RCRA in February 2017 with a request from EPA RCRA to EPA Superfund in May 2017. The EPA Superfund Program has been working on various aspects of this site since that time including an extensive sampling event designed to determine the lateral and vertical extent of contamination. At this time, it is unlikely that TCEQ will be assisting monetarily on this response action but has been assisting technically and will continue to do so.

B. Threats to the Environment

It is unlikely that there would be a significant ecological impact resulting from the contamination on the Site. This Site poses more of a human health threat due primarily to potential exposure to the contaminated soils.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances, pollutants or contaminants from this Site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to the public health, welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed Action Description

The EPA anticipates the excavation of soils from surrounding properties believed to be impacted by the F.J. Doyle Transformer Salvage facility. The intent of this action is not to address soil contamination believed to be associated with other sources of contamination (ie. lead based paint, arsenic herbicides, hydrocarbon spillage, etc.). The excavated soils will be disposed within an appropriate and approved landfill followed by restoration of the property to pre-removal conditions. The cleanup levels to be used for this action are:

PCB (Total):	< 1mg/kg
Arsenic:	20 mg/kg*
Cobalt:	23 mg/kg*
Copper	3,100 mg/kg*
Lead:	400 mg/kg*
Manganese:	1,800 mg/kg*
Benzo(a)anthracene:	<1 mg/kg*
Benzo(a)pyrene:	<1 mg/kg*
Benzo(b)fluoranthene:	<10 mg/kg*
DiBenzo(a,h)anthracene:	<1 mg/kg*
Indeno(1,2,3-cd)pyrene:	<10 mg/kg*

*The EPA will be addressing areas with analytical results above or equal to 1 mg/kg total PCBs. Areas with analytical results that exceed site-specific action levels for PAH and metals will also be addressed if they are co-located with levels of total PCBs that are above or equal to 1 mg/kg.

2. Contribution to Remedial Performance

The Site is not currently being evaluated for inclusion on the National Priorities List (NPL) although the removal actions being proposed in this Action Memo will be consistent with an potential Remedial Action that would be conducted.

3. Applicable or Relevant and Appropriate Requirements

This removal action will be conducted to eliminate the actual or potential release of a hazardous substance, pollutant, or contaminant to the environment, pursuant to CERCLA, 42 U.S.C. § 9601 et seq., in a manner consistent with the NCP, 40 C.F.R. Part 300. As per 40 C.F.R. § 300.415(i), Fund-financed removal actions pursuant to CERCLA Section 104, 42 U.S.C. § 9604, and removal actions pursuant to CERCLA Section 106, 42 U.S.C. § 9606, shall, to the extent practicable considering the exigencies of the situation, attain the applicable or relevant and appropriate requirements under Federal environmental law, including the Toxic Substances and Control Act (TSCA), 15 U.S.C. § 2601 et. seq., the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300 et. seq., the Clean Air Act (CAA), 42 U.S.C. § 7401 et. seq., Clean Water Act (CWA), 33 U.S.C. § 1251 et. seq., the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 et. seq., or any promulgated standard, applicable or relevant and appropriate requirements, criteria, or limitation under a state environmental or facility citing law that is more stringent than any Federal standard, requirement, criteria, or limitation contained in a program approved, authorized or delegated by the Administrator and identified to the President by the state.

Due to the fact that consolidation and offsite disposal are the principal elements of this removal action, RCRA waste analysis requirements found at 40 C.F.R. §§ 261.20 and 261.30, RCRA manifesting requirements found at 40 C.F.R. § 262.20, and RCRA packaging and labeling requirements found at 40 C.F.R. § 262.30 are deemed to be relevant and appropriate requirements for this removal action. Because onsite storage of hazardous wastes by EPA is not expected to exceed ninety days, specific storage requirements found at 40 CFR Part 265 are not applicable or relevant and appropriate (See 40 CFR § 262.34). All hazardous substances, pollutants, or contaminants removed offsite for treatment, storage, or disposal shall be treated, stored, or disposed at a facility in compliance, as determined by EPA, pursuant to 40 CFR § 300.440. All offsite transportation of hazardous materials will be performed in conformity with U.S. Department of Transportation (DOT) requirements at 49 CFR § 172.

This action will be conducted in accordance with the substantive requirements of 40 CFR § 761 and specifically 40 CFR § 761.61(a) and (c) relative to PCB cleanup and disposal. Other specific TSCA requirements that may apply include 761.40 (marking), 761.65 (storage), 761.180 (recordkeeping) and 761.207 (manifesting).

4. Project Schedule

The EPA anticipates initiating such actions as quickly as possible to address the issues associated with the Site.

B. Estimated Costs

Extramural Costs:

ERRS	\$ 1,600,000
START-4	\$ 200,000
Contingency	\$ 180,000
 TOTAL EXTRAMURAL COSTS	 \$ 1,980,000

The total budget for this removal action based on full-cost accounting practices that will be eligible for cost recovery. The budgeted costs are estimated to be **\$ 2,871,396**.

((Direct Cost) + (Other Direct) + (Contingency)) + (45.02% of Total Direct {Indirect Cost})
= Estimated EPA Cost for a Removal Action

$$\text{\$ 1,600,000} + \text{20,000} + \text{180,000} + (\text{45.02\%} \times \text{\$ 1,980,000}) = \text{\$ 2,871,396}$$

Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2002. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only, and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor the deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

If this response action is not taken, residents will continue to be exposed to the contaminated soils. In addition, these contaminated soils may migrate by wind, water, and mechanical means which could result in the contamination of additional areas around the site.

VII. OUTSTANDING POLICY ISSUES

There are no known outstanding policy issues associated with this Site.

VIII. ENFORCEMENT

See Enforcement Attachment.

IX. RECOMMENDATION

This decision documents the selected removal action for the F.J. Doyle Salvage Site, Leonard, Fannin County, Texas and surrounding areas identified by EPA to have been impacted by such operations or otherwise migrated off the site. This action was developed in accordance with CERCLA, 42 U.S.C. § 9601 et seq., and not inconsistent with the NCP, 40 C.F.R. Part 300. This action was based on the administrative record for the Site. Because the conditions at the Site meet the criteria defined in Section 300.415 and 300.305 of the NCP, I recommend your approval of the proposed removal action. The total CERCLA extramural project ceiling if approved will be \$ 1,980,000. Of this, an estimated \$1,600,000 (without contingency) will come from the Regional Removal Allowance.

APPROVED: _____ DATE: _____

Attachments